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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,738	12/24/2003	Akinori Taira	06-49-0922P	9089
2292 7590 07/01/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER NGUYEN, LEE				
ART UNIT 2618		PAPER NUMBER		
NOTIFICATION DATE 07/01/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

ADVISORY ACTION

In the remarks filed 5/30/08, Applicant contends that:

1) Accordingly, Esmailzadeh et al. teaches that the mobile station transmits the signal containing the preamble and the bay station receives the signal and processes the preamble. In contrast, in the claimed invention the bay station is configured to transmit the signal containing the preamble and the mobile station is configured to receive the signal. Thus, the claimed invention provides a distinct difference from the teachings of Esmailzadeh et al., and

2) The "reception power intensity" as recited in the claims is not the peak value of the received signal, but is the power strength for the entire period of the preamble, i.e., the summation of the power of the past. Therefore, the purpose for the use of the "preamble" as recited in the Applicants' independent claims is different from Esmailzadeh et al. preamble for detecting the peak value of each path.

In response, it is noted that the two obvious points mentioned above are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE NGUYEN whose telephone number is 571-272-7854. The examiner can normally be reached on 8:00 - 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NAY A. MAUNG can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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